

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

JEREMY DALE McCASKILL,

Petitioner,

vs.

MICHAEL BUDGE, et al.,

Respondents.

CASE NO. 3:08-cv-00687-ECR-RAM

ORDER  
APPOINTING COUNSEL

On September 8, 2009, this Court entered an Order (Doc. #14) appointing the office of the Federal Public Defender as counsel for Petitioner, Jeremy Dale McCaskill. On October 7, 2009, the Federal Public Defender's Office filed a Notice of Conflict and Request to Withdraw (Doc. #15) indicating that office has a conflict precluding its representation of Petitioner. On October 14, 2009, the Court entered an order (#18) granting the request of the Federal Public Defender's Office to withdraw as counsel.

The Court's Criminal Justice Act Designee has located other counsel who is willing to be appointed to represent the Petitioner.

**IT IS THEREFORE ORDERED** that effective October 14, 2009, **Mary Beth Gardner, Esq.**, 360 St. Lawrence Ave., Reno, NV 89509, (775) 378-6289, is hereby **APPOINTED** to represent the Petitioner herein. Ms. Gardner is a Criminal Justice Act panel attorney for the United States District Court, District of Nevada. Ms. Gardner shall represent Petitioner in all future proceedings in this court relating to this matter (including subsequent actions) and appeals therefrom, pursuant to 18. U.S.C. Section 3006A (a)(2)(B), until allowed to withdraw.

**IT IS FURTHER ORDERED** that counsel for Petitioner shall meet with Petitioner as soon as reasonably possible to: (a) review the procedures applicable in cases under 28 U.S.C. Section 2254; (b) discuss and explore with Petitioner, as fully as possible, the potential grounds for habeas corpus

1 relief in Petitioner's case; and (c) advise Petitioner that all possible grounds for habeas corpus relief must  
2 be raised at this time and that the failure to do so will likely result in the omitted grounds being barred  
3 from future review.

4 **IT IS FURTHER ORDERED** that counsel for Petitioner shall have until up to and  
5 including **Friday, February 12, 2010** to file an amended petition. The court will screen the amended  
6 petition prior to ordering a response from Respondents.

7 **IT IS FURTHER ORDERED** that the Clerk shall send a copy of this order to current  
8 and previous counsel for Petitioner, to counsel for Respondents, to the Petitioner Jeremy Dale McCaskill  
9 and to the CJA Coordinator for this Division..

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11 Dated, this 15th day of October, 2009.

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15 UNITED STATES DISTRICT JUDGE  
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